

09/7625 13

Atty. Docket #: 1998/F-751

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****INTERNATIONAL APPL. NO.:** PCT/EP99/04570 :**INTERNATIONAL FILING DATE:** -07/01/1999- :**APPLICANT:** ULRICH GEBHARDT ET AL :**SERIAL NO:** : **ART UNIT:****FILED:** -HEREWITH- : **EXAMINER:****FOR:** "PEM FUEL CELL WITH IMPROVED  
LONG-TERM PERFORMANCE, METHOD FOR  
OPERATING A PEM FUEL CELL AND PEM  
FUEL CELL STORAGE BATTERY"

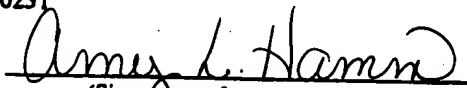
Commissioner for Patents

**Box PCT****Washington, D.C. 20231****"Express Mail" No.:** EE617838639**Date:** -FEBRUARY 08, 2001-

I hereby certify that this paper, along with any other paper or fee referred to in this paper as being transmitted herewith, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, postage prepaid, on the date indicated above, addressed to the Commissioner for Patents, Washington, D.C. 20231

- Amy L. Hamm -

(Typed or printed name of mailing paper or fee)

  
(Signature of person mailing paper)

**TRANSMITTAL OF APPLICATION PAPERS  
TO U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. §371  
(37 CFR 1.494 OR 1.495)**

This Transmittal Letter is based upon PTO Form 1390 (as revised in May, 1993).

The above-identified applicant(s) (jointly with their assignee) have filed an International Application under the P.C.T. and hereby submit(s) to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

09/7625-072401

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. §371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. §371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. §371[f]) at any time rather than delay.
4. ☒ A proper Demand for International Preliminary Examination (IPE) was made to the appropriate Authority (IPEA) within the time period required.
5. ☒ A copy of the International Application as filed (35 U.S.C. §371[c][2]) --  
a. ☒ is transmitted herewith (required when not transmitted by International Bureau).  
b. ☐ has been transmitted by the International Bureau. See WIPO Publication WO 00/10215.  
c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A (verified) translation of the International Application into the English language is enclosed -with- One (1) Sheet of Drawings.
7. ☐ Amendments to the (specification and) claims of the International Application under PCT Article 19 (35 U.S.C. 371[c][3])  
a. ☐ are transmitted herewith (required if not transmitted by the International Bureau).  
b. ☐ have been transmitted by the International Bureau.  
c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.  
d. ☐ have not been made and will not be made.  
e. ☐ will be submitted with the appropriate surcharge.
8. ☐ A translation of the amendments to the claims (and/or the specification) under PCT Article 19 (35 U.S.C. §371[c][3]) is enclosed or will be submitted with the appropriate surcharge.

International Application No. PCT/EP99/04570

9. ☒ An oath or declaration/power of attorney of the inventor(s) (35 U.S.C. §371(c)[4]) will follow.  
☐ and is attached to the translation of (or a copy of) the International Application.  
☐ and is attached to the substitute specification.

10. ☐ A translation of at least the Annexes to the IPE Report under PCT Article 36 (35 U.S.C. §371(c)[5]) is enclosed.

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98 is enclosed.  
 12. ☒ An Assignment for recording and a separate cover sheet in compliance with 37 CFR 3.28 and 3.31 will follow.  
 13. ☒ A FIRST preliminary amendment is enclosed.  
       A SECOND or SUBSEQUENT preliminary amendment is enclosed.  
 14. ☐ A substitute specification (including claims, abstract, drawing) is enclosed.  
 15. ☐ A change of power of attorney and/or address letter is enclosed.  
 16. ☒ Other items of information:

- ☒ This application is being filed pursuant to 37 CFR 1.494(c) or 1.495(c), and any missing parts will be filed before expiration of--

☐ 22 months from the priority date under 37 CFR 1.494(c), or

☒ 32 months from the priority date under 37 CFR 1.495(c).

- ☒ The undersigned attorney is authorized by the International applicant and by the inventors to enter the National Phase pursuant to 37 CFR 1.494(c) or 1.495(c).

The following additional information relates to the International Application:

International Application No. PCT/EP99/04570

1998/F-751

- ☒ Receiving Office: EPO
- ☒ IPEA (if filing under 37 CFR 1.495): EPO
- ☒ Priority Claim(s) (35 USC §§ 119, 365):  
 German Appln. 198 36 142.4 filed August 10, 1998 -and-  
 298 15 330.0 filed August 26, 1998.
- ☒ A copy of the International Search Report is

☐ enclosed.

☒ attached to the copy of the International Application.

☒ A copy of the Receiving Office Request Form is enclosed. (In German)

[X] Letter of March 06, 2000 to WIPO (1) sheet.

The fee calculation is set forth on the next page of this Transmittal Letter.

1998 FEB 08 13 09

FEE CALCULATION SHEET

☒ A check in payment of the filing fee, calculated as follows, is attached (37 CFR 1.492).

Basic Fee..... \$ 860.00

Total Number of claims in  
excess of (20) times \$18..... -0-

Number of independent claims  
in excess of (3) times \$80..... -0-

Fee for multiple dependent  
claims \$270..... -0-

TOTAL FILING FEE... \$ 860.00

Kindly send us the official filing receipt.

The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Deposit Account No. 03-2775. This is a "general authorization" under 37 CFR 1.25(b), except that no automatic debit of the issue upon allowance is authorized. An additional copy of this page is attached.

Respectfully submitted,

By Richard M. Beck

Richard M. Beck

Reg. No. 22,580

CONNOLLY BOVE LODGE & HUTZ LLP

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RMB/alh

Enclosures

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The International  
Bureau of WIPO  
34, chemin des Colombettes

CH-1211 Genf 20  
Schweiz

PCT/PTO 28 FEB 2001  
09/762513

06 MAR 2000

**Change of Applicant, under Rule 92 BIS**

**Application No. PCT/EP99/04570**

**Applicant: Siemens Aktiengesellschaft and Aventis Research & Technologies GmbH & Co. KG**

Concerning the above mentioned international application we apply for the following change:

The applicants in box No. II of the request is to be replaced by the following applicant:

Axiva GmbH  
65926 Frankfurt am Main  
DE

The country of nationality and residence is Germany (DE)

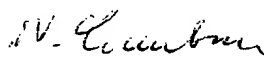
The new applicant should be recorded as applicant for all designed states except the United States of America.

Siemens Aktiengesellschaft

Aventis Research & Technologies  
GmbH & Co. KG



Gollwitzer  
both Authorized Officers



Craubner



ppa. Hildebrand



i.V. Dr. Dörr